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REPORT OF THE SECRETARY-GENERAL PURSUANT TO SECURITY COUNCIL RESOLUTION 1066 (1996)

I. INTRODUCTION

1. The present report is submitted pursuant to paragraph 3 of Security Council resolution 1066 (1996) of 15 July 1996, in which the Council requested that a report be submitted for its early consideration on the situation in the Prevlaka peninsula as well as on the progress made by the Republic of Croatia and the Federal Republic of Yugoslavia towards a settlement which would peacefully resolve their differences on this issue.

2. The United Nations Mission of Observers in Prevlaka (UNMOP) consists of 28 United Nations military observers (UNMOs). The current mandate expires on 15 January 1997. The mission is commanded by a Chief Military Observer, Colonel Harold Mwakio Tangai (Kenya), who succeeded Colonel Göran Gunnarsson (Sweden) on 26 November 1996.

3. In accordance with resolution 1066 (1996), UNMOP continues to monitor the demilitarization of the Prevlaka peninsula. It carries out daily foot and vehicle patrols on both sides of the border between the Republic of Croatia and the Federal Republic of Yugoslavia, except when prevented from doing so by restrictions of movement imposed by one party or the other. The Chief Military Observer and his Deputy hold meetings in Zagreb, Belgrade and Podgorica and with the local authorities in the mission area in order to reduce tension, improve safety and security, and promote confidence between the parties. During the reporting period, cooperation between UNMOP and the multinational Implementation Force (IFOR) was established through regular meetings.

II. THE SITUATION IN THE PREVLAKA PENINSULA

4. Since my last report, of 27 June 1996 (S/1996/502), the situation in the Prevlaka area has been generally stable, but recent events have raised tensions. During the mandate period the Croatian authorities allowed civilians access to the Blue Zone close to the Prevlaka compound. This prompted continuous patrolling by Yugoslav naval vessels at the entrance to Boka Kotorska bay. Subsequent joint air and naval exercises held by the Yugoslav side in the bay

further increased tension. Both parties tend to interpret such actions as deliberate provocations, which justify a strong reaction. The Croatian authorities have recently alleged violations of their airspace by Yugoslav military aircraft. UNMOP immediately defused the situation by active contact with both parties. Such military activities are unhelpful and, if unchecked, could develop into more dangerous incidents.

5. During the course of the present mandate period, the parties have shown little willingness to adopt the practical options proposed by UNMOP in May 1996 to reduce tensions and improve safety and security in the area. Despite the encouragement contained in Security Council resolution 1066 (1996) and the inquiries made by UNMOP in meetings with both sides, neither party has yet taken a unilateral initiative to implement these proposals fully. Consequently, there has been no change in the violations in the demilitarized zone as described in my previous report.

6. Continuing violations within the Blue Zone persist. They consist of Croatian fortified positions manned by special police and a Yugoslav checkpoint. The ability of UNMOP to fulfil its mission is further restricted by the random denial of entry into some Croatian positions and by the continued presence of a minefield blocking a road. This minefield poses a threat to UNMOs who patrol in the area.

7. The situation in the remainder of the demilitarized zone, the Yellow Zone, also remains unchanged. Croatian special police continue to occupy field defence positions along the international border where Yugoslav military and police are also deployed. Both parties impose restrictions on UNMOP's freedom of movement and insist on joint patrols in the northern part of the demilitarized zone. Minefields laid adjacent to patrol routes in the Yellow Zone are still a hazard to UNMOs.

8. In the current conditions of restricted freedom of movement, the present strength of UNMOP is sufficient to implement its mandate. UNMOP is conducting negotiations with the parties for increased freedom of movement and, if they succeed, a modest increase in the number of UNMOs will be necessary.

III. PROGRESS TOWARDS A SETTLEMENT

9. The Agreement on Normalization of Relations between the Republic of Croatia and the Federal Republic of Yugoslavia, signed on 23 August 1996, fulfils an essential precondition for the achievement of a peaceful settlement of the Prevlaka issue. By that Agreement, the parties are committed to resolve the issue by negotiations in the spirit of the Charter of the United Nations and good-neighbourly relations.

10. However, the two Governments hold different interpretations about what the Agreement on Normalization defines as a "disputed issue", in addition to their different understandings of the security regime established by the United Nations. The Republic of Croatia sees the Prevlaka issue as one of security, while the Federal Republic of Yugoslavia considers it to be a question of territory. The Federal Republic of Yugoslavia has indicated that it wants UNMOP

to remain until a settlement is agreed, while Croatia is of the view that respect for the security regime established during the period of United Nations monitoring does not necessarily require the continued presence of United Nations monitors.

IV. OBSERVATIONS

11. The prospects for a peaceful settlement of the Prevlaka issue appear to have improved with the Agreement on Normalization of Relations between the Federal Republic of Yugoslavia and the Republic of Croatia. Despite divergent public pronouncements by the two parties, I am optimistic that such a settlement can be attained. Given the comparative stability that UNMOP has ensured in the area, the parties must now proceed to negotiate a settlement.

12. Prevlaka remains a stable area. However, as recent events have shown, it is also a tense area and the potential for a military confrontation still exists. The continued violations and the lack of real progress on the adoption of the options presented by UNMOP are thus cause for concern. UNMOP is seeking a reduction in military and police deployment in the area and the elimination of existing violations. This should improve the climate for negotiations on a final settlement.

13. In the circumstances, I believe that the continued presence of UNMOP is indispensable if the full benefits of the Agreement on Normalization of Relations are to be realized in the Prevlaka area. I therefore recommend a further six-month extension of the mandate of UNMOP to 15 July 1997.

14. In conclusion, I wish to extend my sincere appreciation to Colonel Göran Gunnarsson for his dedicated efforts as the first Chief Military Observer for UNMOP. I would also like to thank the observers and staff of UNMOP who have served so diligently over the last year.